THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 14295 of 2007

Date:13-07-2007

Between:

Maredu Mareswara Rao @ Mukundeswara Rao ..
PETITIONER

AND

The Addl.Agent to Govt. &Project Offficer, ITDA, Bhadrachalam and three others.

..
RESPONDENTS

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the first respondent in passing appropriate orders either on the stay petition or on the appeal itself filed on 27.02.2007 against the impugned order, dated 25.01.2007 in L.T.R. Case No.328/2006/MKP passed by the 2nd respondent, as illegal and arbitrary.

It is the case of the petitioner that on a complaint made by the 4th respondent, a case in L.T.R.Case No.328/2006/MKP has been initiated by the second respondent for ejectment of the petitioner in respect of an extent of Ac.7.30 gutnas in Sy.No.360 situated at Pathagangaram village of Mulakalapally revenue mandal, Khammam district and the second respondent in the said L.T.R. Case No.328/2006/MKP by order dated 25.01.2007 without making any specific orders for ejectment simply noted that some tribal names are found as enjoyers in the village account and the said land was not assigned to the 4th respondent and the said land was found in the hands of non-tribals from 1984-85 onwards and accordingly a decision has been taken to assign the land to the

4th respondent if he is eligible as per the norms.

Aggrieved by the same, the petitioner filed an appeal on 27.02.2007 along with stay application. It is stated that the appellate authority has not considered the said application.

Having regard to the facts and circumstances of the case, the first respondent is directed to consider and dispose of the appeal filed by the petitioner on 27.02.2007 against the order in L.T.R.Case No.328/2006/MKP of the second respondent as expeditiously as possible after giving reasonable opportunity to both parties and pending disposal of the appeal, status quo pending as on today shall

be maintained.

Accordingly, the writ petition is disposed of. No costs.

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V.ESWARAIAH, J.

Date:13.07.2007
ccm